

FISCAL NOTE

HB 2341 - SB 2286

February 5, 2004

SUMMARY OF BILL:

- Requires local education agencies (LEAs) and governing boards of non-public schools to permit the possession and self-administration of asthma medications by any student 12 years of age or older if the student's parent:
 1. Provides written authorization for possession and self-administration;
 2. Provides a written statement from the student's health practitioner that the student has asthma and has been instructed in self-administration of asthma medications. The statement must also include the name, dosage, number of times medication is to be administered and the length of time for which the medication is prescribed
- Provides that the LEA or the governing body of the non-public school must inform the student's parent that the school and its employees and agents will not incur any liability as a result of any injury sustained by the student from the self-administration of asthma medications. The parent must sign a release acknowledging this liability limitation and will indemnify and hold harmless the school and its employees against any claims relating to the possession or self-administration of asthma medications. The limitation of liability will not apply to the negligence of school personnel.
- Specifies that permission for self-administration of medications will be effective for the school year in which it is granted and shall be renewed each following school year. A student with asthma may possess and use asthma medications when at school, at a school-sponsored activity, under the supervision of school personnel, or before or after normal school activities while on school properties, including school-sponsored child care or after-school programs.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures - Not Significant

Estimate assumes:

- current law allows for the self-administration of medication with proper documentation by students. Such information is included by the Departments of Health and Education in their *Guidelines for Use of Health Care Professionals and Health Care Procedures in a School Setting*.
- any cost associated with the monitoring and record keeping of those students who have permission to self-administer asthma medications, if it is not currently being done, will be not significant and can be handled with existing budgetary resources.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director